

02910.101387.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Eiichi Matsuzaki, et al.)	Examiner: Brian P. Yenke
Appln. No.: 10/829,196)	Group Art Unit: 2622
Filed: April 22, 2004)	Confirmation No.: 5549
For: VIDEO INFORMATION)	January 14, 2009
PROCESSING APPARATUS)	
AND VIDEO INFORMATION)	
PROCESSING METHOD)	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THIRD INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Copies of the listed documents, other than U.S. patent documents, are enclosed.

REMARKS

The following documents were cited in an October 21, 2008 Japanese Official Action in a foreign counterpart application (Japanese Patent Application No. 2003-120493) corresponding to the above-referenced application:

- (1) JP-A 63-030077; and
- (2) JP-A 05-207431.

An Abstract for Document (1) is also attached hereto. For the Examiner's information, Applicants submit that US 4,768,092 is in the family of Document (1), according to a patent family database. An English translation for Document (2), provided by Applicants, is also attached hereto.

STATEMENT UNDER 37 C.F.R. § 1.97(e)

Each item of information in this information disclosure statement was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing date of this Statement.

COMMENT RE STATEMENT

Applicants understand from the MPEP that United States or other English language patent documents, included in a list of the family of patents corresponding to a particular patent cited in a foreign patent office communication, are to be construed as being cited by the foreign patent office for purposes of a statement under 37 CFR 1.97(e)(1). See MPEP 609.04(b)(V) (Rev. 7, July 2008), page 600-159, second full paragraph. Here, the cited U.S. patent, which is in the family of a cited Japanese document, was not itself cited in the Japanese Official Action, and the Japanese Official Action is not understood to itself contain the aforementioned list. Nonetheless, Applicants understand that it is the Office's policy to construe 37 C.F.R. § 1.97(e)(1) to include English-language family patents whether or not such a list appears in the foreign patent office communication itself. Thus, Applicants have cited the U.S. patent and made the statement under 37 C.F.R. § 1.97(e)(1). Favorable consideration in this regard is earnestly solicited.

FEE STATEMENT

Please charge to Deposit Account No. 06-1205 for the required fee of \$180.00 to cover the Information Disclosure Statement under 37 C.F.R. 1.97(c)(2). Any deficiency should be charged and any overpayment credited to that deposit account.

CONCLUSION

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/Daniel S. Glueck/
Daniel S. Glueck
Attorney for Applicants
Registration No. 37,838

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

DSG/jjr